

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FRANCISCO ROBLEDO, JR.,

Defendant.

CR-13-2055-FVS

Preliminary Order of Forfeiture

IT IS HEREBY ORDERED THAT:

As the result of the guilty plea to Count 1 of the Superseding Indictment for which the Government sought forfeiture pursuant to 18 U.S.C. § 924 and 28 U.S.C. § 2461(c), Defendant, FRANCISCO ROBLEDO, JR., shall forfeit to the United States any and all firearms involved in the commission of the offense, Felon in Possession of Firearms.

The Court has determined, based on the Defendant's plea agreement, that the following assets are subject to forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), and that the government has established the requisite nexus between such assets described below, and such offenses:

FIREARMS

- (1) Taurus; Model PT709, 9mm pistol, serial number TDR 48335;
- (2) Taurus, Model PT24/7 Pro, 9mm pistol, serial number TZC03119;
- (3) Llama, 9mm pistol, serial number 499679;
- (4) Stevens, model 94, 20 gauge shotgun, serial number P576526;
- (5) Remington, model Wingmaster, 12 gauge shotgun, serial number S571353U;

1 (6) Smith and Wesson, Model 327PD revolver, serial number  
CNF4392;

2 (7) Norinco, 7.62 x 39 mm rifle, serial number 23003264; and,

3 (8) Ithaca, model MF 66 super single, 410 gauge shotgun, serial  
4 number 204526.

5 Upon the entry of this Order, the United States Attorney General (or a  
6 designee) is authorized to seize the above-listed assets subject to forfeiture,  
7 whether held by the defendant or by a third party, and to conduct any discovery  
8 proper in identifying, locating or disposing of the property subject to forfeiture, in  
9 accordance with 21 U.S.C. § 853, as incorporated by 18 U.S.C. § 924(d) and 28  
10 U.S.C. § 2461(c), and Fed. R. Crim. P. 32.2(b)(3).

11 Upon entry of this Order, the United States is authorized to commence any  
12 applicable proceeding to comply with statutes governing third party rights,  
13 including giving notice of this Order.

14 Pursuant to 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. § 924(d) and  
15 28 U.S.C. § 2461(c), the United States will post notice of this order on the official  
16 government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least 30 consecutive days.

17 The United States may also, to the extent practicable, provide direct written notice  
18 to any person known to have alleged an interest in the property that is the subject  
19 of the Preliminary Order of Forfeiture, as a substitute for posted internet notice as  
20 to those persons so notified.

21 Any person, other than the above-named Defendant, asserting a legal  
22 interest in the above-listed property may, within thirty (30) days of the final  
23 posting of notice, or receipt of notice, whichever is earlier, petition the court for a  
24 hearing without a jury to adjudicate the validity of his alleged interest in the  
25 above-listed property, and for an amendment of the order of forfeiture, pursuant to  
26 Fed. R. Crim. P. 32.2(6) and 21 U.S.C. § 853(n), as incorporated by 18 U.S.C. §  
27 924(d) and 28 U.S.C. § 2461(c).

Any petition filed by a third party asserting an interest in the above-listed property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title, or interest in said property, the time and circumstances of the petitioner's acquisition of the right, title or interest in said property, and any additional facts supporting the petitioner's claim and the relief sought.

After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c) and before a hearing on the petition, discovery may be conducted in accordance with the Federal Rules of Civil Procedure upon a showing that such discovery is necessary or desirable to resolve factual issues.

The United States shall have clear title to the above-listed property following the Court's disposition of all third-party interests, or, if none, following the expiration of the period provided 21 U.S.C. § 853(n)(2), as incorporated by 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), for the filing of third party petitions.

Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of Forfeiture is final as to the Defendant at the time of sentencing, and is made part of the sentence and included in the judgment.

The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

ORDERED this 29th day of October, 2013.

s/ Fred Van Sickle

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Fred Van Sickle  
Senior United States District Judge

Presented by:

Michael C. Ormsby  
United States Attorney

s/Thomas J. Hanlon

Thomas J. Hanlon  
Assistant United States Attorney